

REVISOR'S NOTE: This section presently appears as Article 66C, section 198 of the Code and is set forth here for organizational purposes. The term "propagating" is proposed for deletion and "managing" is substituted therefor because it is a more modern term which encompasses the concept of propagating, restocking, and reducing species of wildlife where necessary. The reference to restocking is proposed for deletion because it is included in management.

The Legislative Council Joint Committee to Revise Article 66C added the reference to "wildlife" and proposed for deletion the present reference to "game birds and game animals". According to the department, the present section is limited because the public was concerned only with game birds and mammals when this section was enacted in 1943.

The only other changes made are in style.

#### SUBTITLE 4. HUNTING RESTRICTIONS - IN GENERAL.

##### 10-401. HUNTING, POSSESSING, AND SELLING CERTAIN WILD BIRDS.

(A) HUNTING AND POSSESSING CERTAIN WILD BIRDS PROHIBITED. - EXCEPT FOR UNPROTECTED BIRDS AND GAME BIRDS HUNTED DURING OPEN SEASON, A PERSON MAY NOT HUNT, DESTROY, OR POSSESS IN ANY MANNER ANY WILD BIRD WITHIN THE STATE WHETHER KILLED IN THE STATE OR IN ANY OTHER STATE, TERRITORY, OR COUNTRY.

(B) EXCEPTIONS. - UNLESS PROHIBITED BY FEDERAL LAW, THIS SECTION DOES NOT PROHIBIT A LANDOWNER OR HIS AGENT FROM SHOOTING HAWKS OR OWLS WHEN CONSIDERED NECESSARY TO PROTECT POULTRY OR GAME BIRDS OR MAMMALS ON HIS PROPERTY FROM DESTRUCTION. IN ADDITION, THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT FROM CONTROLLING BIRDS OR MAMMALS WHICH HAVE BECOME OBNOXIOUS IN NATURE OR HABIT OR ARE DAMAGING WILDLIFE ON ANY LANDS IN THE STATE.

(C) SELLING WILD BIRDS PROHIBITED. - A PERSON MAY NOT SELL, OFFER FOR SALE, OFFER TO PURCHASE, BARTER, OR EXCHANGE THE PLUMAGE, SKIN, OR BODY OF ANY